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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/521,107 | 03/07/2000 | Silke Draber | 004501-349 | 9180 |
| 21839 | 7590 | 08/16/2004 | EXAMINER | |
| BURNS DOANE SWECKER & MATHIS L L P POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404 | | | | WACHSMAN, HAL D |
| | | ART UNIT | | PAPER NUMBER |
| | | | | 2857 |

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

EXAMINER

ART UNIT PAPER

08122004

DATE MAILED:

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Commissioner for Patents

Hal D Wachsman
Primary Examiner
Art Unit: 2857

Art Unit: 2857

1. The reply filed on 6-9-04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

- a) Newly submitted claims 13 and 14 are improper under 37 C.F.R. 1.121 because in *new claims the text of the claims must not be underlined*. In both new claims 13 and 14, the text "first and second" are underlined. Appropriate correction is required.
- b) The specification amendments which insert the various headings of the sections of the specification, such as for example on page 1, line 5, insert "**BACKGROUND OF THE INVENTION**", are also improper under 37 C.F.R. 1.121 because *newly added paragraphs or sections must not be underlined*. Appropriate correction is required.
- c) In the amendments to the specification section of the Applicant's reply, there is an amendment "Please replace the paragraph beginning on page 2, line 12 and ending on line 16, with the following amended paragraph:". However, line 12 of page 2 contains the insertion "**SUMMARY OF THE INVENTION**" and this paragraph being referred to begins in line 13 of page 2. Appropriate correction is required.
- d) In the amendments to the specification section of the Applicant's reply, there is an amendment to delete the heading "DESCRIPTION" *beginning on page 1*. However, this amendment does not indicate the line number, and as this heading is located on a single line (line 1 of page 1 of the specification) it is not clear why this is indicated as "*beginning on page 1*" which would imply that an

entire section of text extending into subsequent page(s) is being deleted.

Appropriate correction is required.

2. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal D Wachsman whose telephone number is 571-272-2225. The examiner can normally be reached on Monday to Friday 7:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hal D Wachsman
Primary Examiner
Art Unit 2857

HW
August 12, 2004